

III. REMARKS

With respect to the prosecution of the parent application 09/433,490, an Office Action issued on April 28, 2003. In the Office Action dated April 28, 2003, claims 1-4, 8-9, 11-12 and 14-18 were rejected under 35 U.S.C. 103 as being unpatentable over Pickering (XP-000898158) in view of Murphy (US 5,745,169) for reasons set forth in the action. Allowable subject matter was noted in claims 6-7 and 10. Reconsideration of these rejections is requested, with respect to the present continuation application, in view of the following argument.

Pickering discusses errors in section 2 and 3, wherein an error is described in terms of the DCT (discrete cosine transform). The examiner has noted that Pickering provides for generating a second reference value, after a transformation of information about a spatial frequency distribution. In present claim 1, the methodology of the invention includes a step of transforming information about the spatial frequency distribution of a video data block into pixel values. Claim 5 states that the transformation is an inverse DCT transformation. Claims 1 states further that prior to the transformation, there is a generating of a first reference value, and that after the transformation, there is a generating of a second reference value.

The examiner notes that Pickering does not appear to disclose a generating of a first reference value prior to the transformation (top of page 3 of the action). Accordingly, the examiner relies on Murphy to show a means for generating a first reference value prior to the transformation.

It is noted that there is no teaching in Pickering or in Murphy that, in the implementation of a communication system, one must detect both the error before transformation and the error after transformation. Therefore, there would be no motivation to combine the two teachings to make claim 1 obvious. Furthermore, it is noted that Pickering introduces the DCT (beginning of section 2) prior to transmission of a signal, in which case distortion (associated with signal transmission) is introduced into the transformed signal. Murphy introduces the DCT (Fig. 3) after reception of the signal so that any distortion (associated with signal transmission) is introduced prior to the transformation. Thus, these two references are contradictory in the implementation of the transformation, thereby to direct one away from a combination of their respective teachings. As shown in present Figs. 2 and 3, the present invention is implemented in the signal reception part of the communication system, with utilization of an inverse DCT transformation, as noted in claim 5. Thus, there is a further distinction between the present invention and the teaching of the cited art in that Murphy employs a DCT while the present invention employs an inverse DCT.

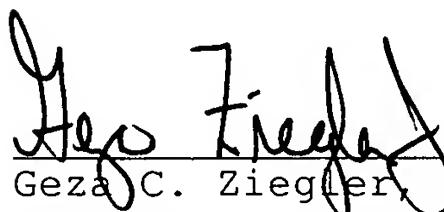
Accordingly, it is urged that the foregoing argument has overcome the grounds of rejection so that all of the claims should be allowable.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable

reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,



Geza C. Ziegler, Jr.
Reg. No. 44,004

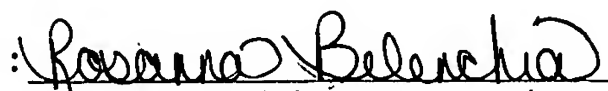
3 December 2003
Date

Perman & Green, LLP
425 Post Road
Fairfield, CT 06824
(203) 259-1800
Customer No.: 2512

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date indicated below as first class mail in an envelope addressed to the Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: 12/3/03

Signature: 

Person Making Deposit